

CENTRAL FAX CENTER

Serial No.: 10/737,421

Docket No.: AO720B

Examiner: T. Phan

Art Unit: 2841

JUL 09 2007

**REMARKS**

Claims 1-10 and 15-25 are currently pending in this application. Claims 1, 6 and 21 have been amended and new claims 22-24 have been added. Reconsideration and allowance of all the claims in view of the amendments made above and remarks to follow is earnestly solicited.

Claims 1, 6 and 21 have been amended to affirmatively recite that the second printed circuit board receives information related to an external parameter. Support for this amendment can be found throughout the specification, for example at page 6, lines 6-12.

New claims 22 and 23 add additional features not shown or described in the cited art. Support for the subject matter can be found in the specification, for example at page 8, lines 4-9. In addition, while the pushers are not shown in the figures of the invention, the pushers are shown, for example, in Figure 6 of U.S. Patent No. 7,113,450, the subject matter of which has been incorporated by reference into the present application. Thus, it is submitted that these features are included in the present application and no new matter is believed to have been added by virtue of these amendments.

New claim 24 recites the feature that the display is coupled to the frame of the multi-layer module, whereby the second printed circuit board is removed and replaced with another printed circuit board without removing the display. Support for these features can be found in Figure 1 which clearly show that the display is coupled to the frame and in Figure 2 which shows an inverted view of the features shown in Figure 1. As shown therefore, it is respectfully submitted that the disclosure illustrates (see also Fig. 4) the removal of the second printed circuit board without removing the first printed circuit board, and by extension, the display, which is on the opposite side of the first printed circuit board. For all of these reasons, it is believed that subject matter of claim 24 is not new matter and is supported by the disclosure.

**Drawings**

The drawings are objected to under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims, and, in particular, how the circuit board is

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removed and replaced without removing the display. Applicants have amended claims 1, 6 and 21 to delete this feature from the claims. Applicants have added new claim 24 to recite this feature and have explained in detail above how the feature is shown in the figures. Therefore, reconsideration and withdrawal of the objection to the drawings is respectfully requested.

**Rejections Under 35 U.S.C. § 112, Second Paragraph**

Claims 1-10 and 15-21 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite because claims 1, 6 and 21 are deemed to be incomplete for omitting essential cooperative relationships of elements, and in particular because it is deemed unclear how the printed circuit boards are removed/inserted without removal of the display. As indicated above, Applicants have amended claims 1, 6 and 21 to delete this feature from the claims and have added new claim 24 to recite this feature. As discussed above, Applicants respectfully submit that this feature is disclosed. Therefore, reconsideration and withdrawal of the rejection of all of the claims as being indefinite is respectfully requested.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1-10 and 15-21 stand rejected as being unpatentable over U.S. Patent No. 6,618,328 (Ellner) in view of U.S. Patent No. 5,210,722 (Schwartz) and U.S. Patent No. 4,430,005 (Nishimura). Applicants respectfully traverse these rejections.

Regarding claims 1, 5-8 and 21, the Examiner asserts that Ellner describes an electronic device that includes functionality to perform at least two functions, a first of which is at least timekeeping and the other of which is at least a function related to a sensed condition, i.e., the device contains messages that relate to at least one of the senses/sensed condition.

In response, Applicants have amended claims 1 and 21 to recite that the second function is displaying information related to a measured external parameter of a sensed condition.

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Applicants respectfully submit that Ellner is completely silent on the ability to measure a sensed external parameter as claimed. In particular, the only "sensed condition" described by Ellner is generating signals to find the wristwatch (or the wearer of the wristwatch), which is asserted by the Examiner as being an indication of sensed direction. Applicants respectfully disagree that the generation of a signal to find the wristwatch is an indication of sensed direction, especially because the signal is only for a particular location and does not indicate a direction in which the watch (or the wearer) is moving.

As discussed in Applicants' previous response, Ellner only describes a device that is capable of displaying printed, digital, recordable audio or aromatic messages. These messages are perceived by the user of the device described by Ellner through the senses of hearing, vision, smell or touch resulting from a particular condition of some part of the body. Applicants' invention claims the display of a measured external parameter, such as altitude or heart rate, which is received via electrical/electronic and/or mechanical sensor(s) (specification page 5, line 30 through page 6, line 12). In addition, Ellner describes a device that does not provide an indication of direction, but instead provides an indication of the location or whereabouts of the device or user of the device through the emission of signals (Ellner, col. 6, ll. 60-62). Applicants' disclosure of direction refers to directional headings based on the alignment or orientation of the earth's magnetic field as received and/or measured by a compass mode (specification page 5, line 32 through page 6, line 2).

Applicants respectfully submit that a signal that indicates the location of a watch is not a measured parameter. In addition, the claimed invention also requires that the display *displays* information related to the measured external parameter. Applicants respectfully submit that the "signals" described in Ellner merely aid in finding the lost watch and are not *measured and displayed* on a display as described and claimed by Applicants.

Applicants have also amended claim 6 to recite that the electronic device includes functionality to perform at least a first function and a second function, wherein the at least the second function relates to receiving and displaying information related to an

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external parameter and that when the second printed circuit board is removed and replaced with another printed circuit board having third means related to a third function for receiving and displaying information related to an external parameter that is at least in part different from the external parameter of the second function, the functionality of the electronic device is changed and/or modified and the display then becomes electrically coupled to the third means and displays information related to the function associated with the first means and the third means.

Applicants respectfully submit that Ellner does not describe or suggest these features of the claimed invention.

In particular, Ellner, (column 6, lines 12-44) provides the following (emphasis added):

A variation on the foregoing embodiment is shown in FIGS. 16 and 17. In this case, a watch assembly 101 includes a digital display piece 103 and another viewable item located beneath it such as a digital picture 105 shown in FIG. 16. However, *upon the depression or other actuation of a release member 107, the digital picture 105 is replaced by a psychological message 109*. Digital picture 105 can be an electronic image and by actuating member 107, that image is replaced by the message 109.

Another embodiment of the invention is shown in FIGS. 18 and 19. FIG. 18 shows a watch assembly 111 with a watch face 113 around the periphery of the front portion of watch assembly, with hands 115 operating in the normal mode. No message is visible. However, upon the depression of an actuating member 117, *watch face 113 changes to an auxiliary mode*, wherein a message is revealed inside of watch face 113. This message is not observable until member 117 is actuated as shown in FIG. 19. The message is indicated at numeral 119.

Yet another embodiment of the invention is shown in FIG. 20. In this case, a watch assembly 121 includes a timepiece 123 which includes on its rear portion and extending into or facing a secret compartment, an electronic voice chip 125 with a speaker 127. Upon the operation of an actuating member, an audible message can be heard through speaker 127. *A microphone assembly 129 can be provided in which the user can put his or her own message in the timepiece, and it can be listened to, and changed*, as desired. A digital picture or some message can be provided in backing 131 and in the secret compartment. Alternatively, or in addition,

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other messages besides audio messages can be included in timepiece 123. For example, an aroma generator unit for generating an aroma "message" can be provided for the user.

Thus Ellner demonstrates that it is possible to change a display, so that the display displays a different picture or message which is accomplished *without* replacing/exchanging the printed circuit board. In other words, actuating a release member to replace a digital picture with a message is performing the same function with the same printed circuit board, not perform a different function with a different printed circuit board. One skilled in the art would not replace the printed circuit board in the manner described and claimed by Applicants to replace the picture with a message but would simply depress a button to "toggle" between the two pictures. Likewise, changing the watch face to an auxiliary mode or change a recorded message would not require replacing the printed circuit board because the actions involves the same function.

Furthermore, none of these activities/functions involves the receipt and display of information relating to an external parameter. Applicants respectfully submit that all of these functions concern information that is internal to the device itself and thus it is respectfully submitted that claim 6 is patentably distinguishable from Ellner.

The Schwartz patent has been cited for its description of an asymmetrically positioned battery and no indication has been made (or respectfully submitted, can be made) that this prior art cures any of the deficiencies above.

The Examiner has also cited Nishimura for its teaching of a timepiece where an additional ROM cassette may be removed/inserted without removing the display and asserts that it would have been obvious to incorporate the teachings of Nishimura with Ellner and Schwartz to provide the addition of alarming messages. However, Applicants respectfully submit that Nishimura also does not cure the deficiencies of Ellner and Schwartz because Nishimura also does not describe or suggest the ability to measure a sensed external parameter and to display data relating to the sensed external parameter as described and claimed by Applicants.

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For all of the foregoing reasons, Applicants respectfully submit that the claims as amended are patentable over the cited art (i.e. Ellner, Schwartz and Nishimura, alone or in combination) and notice to this effect is earnestly solicited.

In addition, newly added claims 22-24 provide additional features of the invention and further distinguish the present invention from the prior art. In particular, new claims 22 and 23 provide the feature integrating the second printed circuit board with pushers to allow a user to operate the device to measure external parameters and to display information related to the measured external parameter. Applicants respectfully submit that none of the cited art, alone or in combination, describes or suggests these features of the invention.


### CONCLUSION

Applicants have made a sincere and diligent effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited. However, if any issues still remain, the Examiner is respectfully requested to telephone the undersigned to resolve such issues prior to the issuance of another office action.

Alternatively, if the Examiner is unable to issue a Notice of Allowance, the Examiner is respectfully requested to enter this Amendment to place the claims in better condition for appeal.

Early and favorable action is earnestly solicited.

Respectfully submitted,

  
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